IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 3924 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SHANABHAI BAPUBHAI & 49 - Petitioner(s)
Versus
HALOL MUNICIPALITIES & 2 - Respondent(s)

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Appearance :
MR YV SHAH for Petitioner(s) : 1 - 50.
MR BN PATEL for Respondent(s) : 1,
Ms. Archana Raval, AGP for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH
Date : 02/11/2006

ORAL JUDGMENT

By way of this petition under Article 226 of the Constitution of India, the main prayer which is sought by the petitioners is for a directing the Director of Municipalities, State

of Gujarat to reconsider the proposal submitted by the Halol Municipality, at Annexure 'B' to the petition and to accord sanction for creating new posts so that the petitioners can be regularised in service. It is required to be noted that, as such there is no prayer to regularise the services of the petitioners. The only prayer which is made in the present Special Civil Application is to direct the Director of Municipalities, State of Gujarat to reconsider the proposal submitted by the Municipality at Annexure 'B'. If the proposal is already lying with the Director of Municipalities, State of Gujarat, the Director of Municipalities is directed to consider the same in accordance with law and on merits taking into consideration the requirement, financial position, budgetary provision etc., and take decision within three months from the date of receipt of this order. With this, the present Special Civil Application is disposed of. Rule is made absolute to the

aforesaid extent with no order as to costs.

[M.R. Shah, J.]

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